



2165
Docket No.: 1083.1048

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Takayuki HASEBE et al..

Group Art Unit: 2165

Serial No. 09/000,924

Filed: December 30, 1997

Examiner: Nguyen, C.

For: DATA PROTECTION SYSTEM, DATA PREPARATION DEVICE, AND DATA WORKING
DEVICE

LETTER TO THE EXAMINER

REQUESTING CONSIDERATION AND ACKNOWLEDGMENT OF
INFORMATION DISCLOSURE STATEMENT

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Mail Stop: ISSUE FEE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement (IDS) is submitted herewith and the IDS fee for the same has been paid. The above-identified US application has been allowed. The Issue Fee has not been paid.

It is respectfully requested that the Examiner fully consider and acknowledge the Information Disclosure Statement, including Form PTO 1449 and Attachments 1(e) and 1(g), because the Information Disclosure Statement discloses a Japanese Office Action in a counterpart Japanese Patent Application No. JP 1997-154046 of the above-identified US patent application, and pursuant to 37 CFR 1.97(d) and (e)(1), as asserted in the attached IDS certification, the information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

01/27/2004 MAHMED1 00000058 09000924


01 FC:1806

180.00 DP

If there are any additional fees associated with filing of this communication, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,
STAAS & HALSEY LLP

Date: 1/22/2004

By: 
Mehdi Sheikerz
Registration No. 41,307

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
(202) 434-1500

CERTIFICATION

I, Kohno Takao; 4-3 Tsurigane-cho, 2-chome, Chuo-ku, Osaka 540-0035 JAPAN, hereby certify that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.



KOHNO Takao

Dated this 19th day of January, 2004



Attorney Docket No. 1083.1048

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application No.: 09/000,924

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INFORMATION DISCLOSURE STATEMENT

MAIL STOP: ISSUE FEE
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

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In accordance with the duty of disclosure provisions of 37 CFR § 1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application.

1. Enclosures accompanying this Information Disclosure Statement are:

- 1a. ☒ Form PTO-1449.
- 1b. ☒ Copies of IDS citations.
- 1c. ☒ An English language copy of Office Action from a counterpart foreign application.
- 1d. ☐ English language translation (complete or relevant portion(s)) attached to each non-English language publication.
- 1e. ☒ Explanations of Relevancy of References (ATTACHMENT 1(e), hereto) for providing a relevancy of cited documents and concise explanation of each non-English publication.
- 1f. ☐ List of Copending Applications (ATTACHMENT 1(f), hereto).
- 1g. ☒ List of Additional Submitted Documents (ATTACHMENT 1(g), hereto).

2. ☐ This Information Disclosure Statement is filed under 37 CFR §1.97(b):

(Check either Item 2a or 2b or 2c or 2d)

- 2a. ☐ Within three months of the filing date of a national application other than a Continued Prosecution Application under § 1.53(d);
- 2b. ☐ Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application.
- 2c. ☐ Before the mailing of a first Office Action on the merits; or
- 2d. ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.

3. ☐ This Information Disclosure Statement is filed under 37 CFR § 1.97(c) after the period specified in paragraph 2 above but before the mailing date of any of a Final Office Action under § 1.113, a Notice of Allowance under § 1.311 or an action that otherwise closes prosecution in the application, AND

(Check either Item 3a or 3b; Item 3b to be checked if any reference known for more than 3 months)

- 3a. ☐ The §1.97(e) Statement in Item 5 below is applicable; OR
3b. ☐ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:
☐ enclosed.
☐ to be charged to Deposit Account No. 19-3935.

4. ☒ This Information Disclosure Statement is filed under 37 CFR §1.97(d) after the period specified in paragraph 3 above, but on or before payment of the Issue Fee, AND

- 4a. ☒ The § 1.97(e) Statement in Item 5 below is applicable; AND
4b. ☒ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:
☒ enclosed.
☐ to be charged to Deposit Account No. 19-3935.

5. ☒ Statement under § 1.97(e) (*applicable if Item 3a or Item 4a is checked*)

(Check either Item 5a or 5b)

- 5a. ☒ In accordance with 37 CFR § 1.97(e)(1), it is stated that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
5b. ☐ In accordance with 37 CFR § 1.97(e)(2), it is stated that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known by any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

6. ☐ This is a continuation/divisional/continuation-in-part application under 37 CFR § 1.53(b).

(Check appropriate Items 6a and/or 6b)

- 6a. ☐ Copies of the publications listed on the attached Form PTO-1449 which were previously cited in prior application Serial No. ___, filed on ___, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. § 120, have been omitted pursuant to 37 CFR § 1.98(d).
6b. ☐ Copies of the publications listed on the attached Form PTO-1449 which were not previously cited in prior application Serial No. ___, filed on ___, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. § 120, are provided herewith.


7. ☐ This is a continuation/divisional application under 37 CFR § 1.53(d) or a Request for Continued Examination under 37 CFR 1.114.
(Check either Item 7a or 7b)
- 7a. ☐ The Issue Fee has not been paid.
- 7b. ☐ A Petition to Withdraw from issue under 37 CFR § 1.313(c) is filed concurrently herewith or has been granted. A continuation/divisional application under 37 CFR § 1.53(d) or a Request for Continued Examination under 37 CFR 1.114, after payment of the Issue Fee, is proper in accordance with 37 CFR § 1.53(d)(1)(ii) or 37 CFR 1.114(a), respectively.
8. ☐ This is a Supplemental Information Disclosure Statement.
(Check either Item 8a or 8b)
- 8a. ☐ This Supplemental Information Disclosure Statement under 37 CFR § 1.97(f) supplements the Information Disclosure Statement filed on _____. A bona fide attempt was made to comply with 37 CFR § 1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental IDS can be considered as if properly filed on _____.
- 8b. ☐ This Supplemental Information Disclosure Statement is timely filed within one (1) month of the Notice under 37 CFR § 1.97 and 1.98, mailed _____.
9. ☒ In accordance with 37 CFR § 1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:
(Check appropriate Items 9a, 9b, 9c and/or 9d)
- 9a. ☐ satisfied because all non-English language publications were cited on the enclosed "English language version of the search report or action which indicates the degree of relevance found by the foreign office". (See MPEP § 609, Minimum Requirements for an Information Disclosure Statement, Part A(3): Concise Explanation of Relevance, 8th Ed.)
- 9b. ☐ set forth in the application.
- 9c. ☐ satisfied because an English language translation (complete or relevant portion(s)) is attached to each non-English language publication.
- 9d. ☒ enclosed as Attachment 1(e), hereto.
10. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted herewith). 37 CFR §§ 1.97(g) and (h).

11. The Commissioner is authorized to credit any overpayment or charge any additional fee required under 37 CFR § 1.17 for this Information Disclosure Statement to Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Dated: 1/22/2004
1201 New York Ave., N.W., Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501

By: 
Mehdi Sheikerz
Registration No. 41,307



Sheet 1 of 1

FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO.

1083.1048

APPLICATION NO.

09/000,924

LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)

FIRST NAMED INVENTOR

Takayuki HASEBE et al.

FILING DATE

December 30, 1997

GROUP ART UNIT

2165

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						

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FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO	
	AF	JP 7-30244	11/1995	Japan			In English translated Japanese Office Action	
	AG	JP 8-185448	07/1996	Japan				X
	AH	JP 8-292976	11/1996	Japan				X
	AI	JP 8-329011	12/1996	Japan				X
	AJ	JP 8-255132	10/1996	Japan				X
	AK	JP 3-35351	02/1991	Japan				X

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

TRANSLATION
YES NO

	AL			
--	----	--	--	--

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**ATTACHMENT 1(e)****EXPLANATIONS OF RELEVANCY
OF REFERENCES**

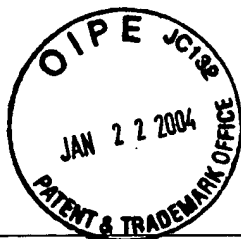
ATTORNEY DOCKET NO. 1083.1048	APPLICATION NO. 09/000,924
FIRST NAMED INVENTOR Takayuki HASEBE et al.	
FILING DATE December 30, 1997	GROUP ART UNIT 2165

The references cited in the attached FORM PTO-1449 hereto were cited in the English translated Japanese Office Action of January 6, 2004 in the counter part Japanese Patent Application No. JP 1997-154046 of the above-identified US patent application.

The Japanese reference cited in item AF of the attached FORM PTO-1449 is explained in the English language translated Japanese Office Action identified in item AE of Attachment 1(g). The remaining five Japanese references of the FORM PTO-1449 were not included in the Reasons for Rejections of the Japanese Office Action (page 3).

Entry and consideration of this Information Disclosure Statement is respectfully requested, pursuant to 37 CFR 1.97(d) and (e)(1) as also specified above in items 4 and 5 of this Information Disclosure Statement.

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ATTACHMENT 1(g)

**LIST OF ADDITIONAL SUBMITTED
DOCUMENTS**

ATTORNEY DOCKET NO. 1083.1048	APPLICATION NO. 09/000,924
FIRST NAMED INVENTOR Takayuki HASEBE et al.	
FILING DATE December 30, 1997	GROUP ART UNIT 2165

The following document(s) is/are listed in accordance with the duty of disclosure provisions of 37 CFR § 1.56, so that the Examiner may consider same should he deem any thereof to be material to examination of the subject application. Pursuant to 37 CFR 1.98(a)(2)(iv), a copy of any identified document(s) is provided.

It is requested that the Examiner acknowledge his consideration of document(s) below-listed by initialing same in the space provided adjacent each such application and that the Examiner sign and date this form at the bottom thereof to confirm such consideration having been given.

This submission in no way represents an admission that any of the information listed herein constitutes prior art with respect to the subject application and unless and until such prior art status is established, this submission is not a request that the information presented herein be printed on the face of any patent issuing from the subject application in which this information is being filed.

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA						
	AB						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO	
	AC							
	AD							

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

							TRANSLATION YES NO	
	AE	Japanese Office Action in the counter part Japanese Patent Application No. JP 1997-154046, mailed January 6, 2004, including an English translation thereof					X	

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	